



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

April 15, 2015

Mr. Larry Allen
Air Pollution Control Officer
San Luis Obispo County Air Pollution Control District
3433 Roberto Court
San Luis Obispo, California 93401

Dear Mr. Allen:

Thank you for bringing to EPA's attention recent developments that relate to San Luis Obispo County Air Pollution Control District's (District's) efforts to regulate particulate matter pollution pursuant to Rule 1001, "Coastal Dunes Dust Control Requirements." As you know, during the 2012-2014 time period, the District's CDF monitor, a required regulatory monitor near the Oceano Dunes, has reported seven air quality exceedances of the 2006 24-hour $PM_{2.5}$ and seven exceedances of the 24-hour PM_{10} national ambient air quality standards (NAAQS). This poses a serious health concern which the District has been attempting to address. According to the District's 2010 Phase 2 South County Particulate Study, these exceedances are attributable to vehicular disturbance of beach and sand dunes. These data suggest that the operation of vehicles on dunes is contributing to the exceedances of the NAAQS, which are intended to protect human health and the environment.

We understand that a recent decision by the California Court of Appeal may have impacted the District's ability to implement and enforce Rule 1001. This development raises concerns regarding the future viability of the District's strategy of relying on Rule 1001 to address $PM_{2.5}$ and PM_{10} NAAQS exceedances. If legal or other developments close off this approach, EPA and the District will need to re-visit other options for addressing NAAQS exceedances, including the possibility of federal action to designate the area to non-attainment for the 2006 24-hour $PM_{2.5}$ NAAQS and/or the 24-hour PM_{10} NAAQS. A designation to nonattainment would trigger a comprehensive planning process to achieve clean air.

With these facts in mind, we want to reiterate our support for the District's efforts thus far to address the anthropogenic emissions from the beach and sand dunes. We continue to believe that pollution control measures such as those contained in Rule 1001 can provide a reasonable basis for regulating this activity in order to protect human health.

Please feel free to call me at (415) 972-3133 if you would like to further discuss options for meeting the PM_{2.5} and PM₁₀ NAAQS in San Luis Obispo County.

Sincerely,

A handwritten signature in black ink, appearing to read 'Deborah Jorday', with a stylized, flowing script.

Deborah Jorday
Director, Air Division

cc: Richard Corey, California Air Resources Board